

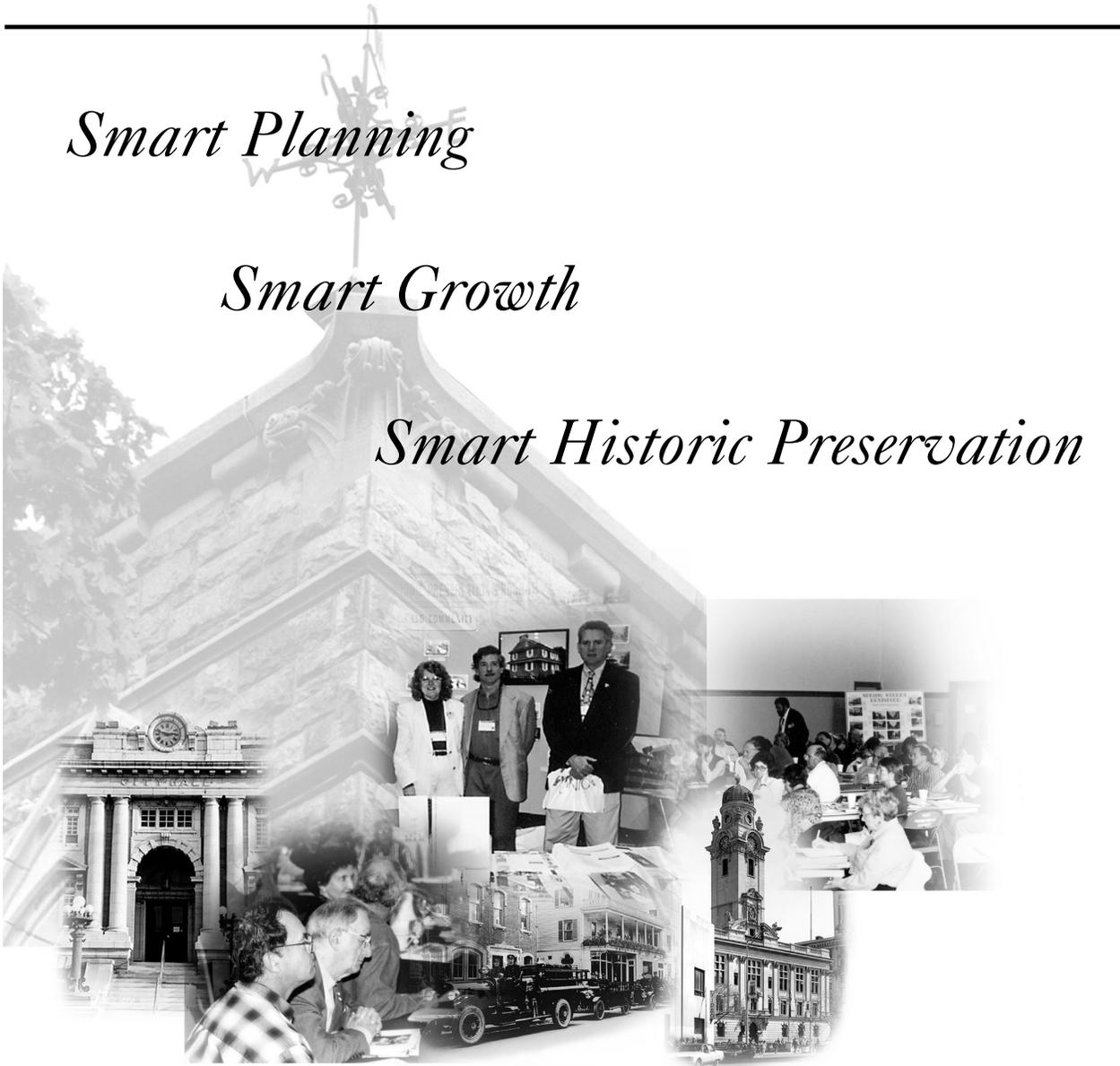
2005/06

CLG Grant Application

Smart Planning

Smart Growth

Smart Historic Preservation



NO LOCAL MATCH REQUIRED

Deadline March 31, 2006



State of New Jersey
Jon S. Corzine
Governor



DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES



HISTORIC PRESERVATION OFFICE

P.O. Box 404, Trenton, New Jersey 08625-0404

TEL: (609) 984-0176 FAX: (609) 984-0578

www.nj.gov/dep/hpo

HISTORIC PRESERVATION OFFICE

2005/06 Historic Preservation Fund CLG Grant Application

No Local Match Required

The Historic Preservation Office (HPO) wants to work with you to promote the preservation of historic resources in your community. Are you aware that as a Certified Local Government your community can apply for a Historic Preservation Fund grant? There are currently 39 Certified Local Governments in New Jersey eligible to apply for approximately \$70,000 in grant funds. All Applicants are encouraged to develop a preliminary application and contact the HPO to schedule a grant workshop. At the workshop, the HPO professional staff will provide all Applicants with technical assistance tailored to their particular projects.

SUBMISSION DEADLINE MARCH 31, 2006

I. Introduction

The New Jersey Department of Environmental Protection, Natural & Historic Resources, Historic Preservation Office (HPO) is soliciting submission of Historic Preservation Fund grant applications for eligible historic preservation activities. The schedule for the processing of all grant applications is provided in Appendix A.

Typically all grants are scheduled and completed within a 12 month period, beginning October 1st, and ending September 30th of the next year.

There is no maximum individual grant award. All grants are awarded contingent upon the availability of federal funds and final scoring.

Applicants are not required to provide local matching share. Grant awards will be made to the applicants whose proposals meet the established funding priorities and are the most advantageous to the state preservation program, cost, and other factors considered.

A. Statement of Purpose

The HPO is responsible for promoting historic preservation in New Jersey in accordance with the New Jersey Register of Historic Places Act and the National Historic Preservation Act of 1966, as amended. This Act authorizes the Secretary of the Interior, through the National Park Service (NPS), to grant Historic Preservation Funds (HPF) to states for the purpose of promoting historic preservation activities

such as historic resource surveys and historic preservation plans. The goals for the Historic Preservation Fund grant activities are:

- to identify all buildings, sites, structures, objects and districts which are significant in American historic, architecture, archaeology and engineering, and which meet the criteria for inclusion in the National Register of Historic Places;
- to design and implement planning tools for the protection of these resources.

B. Eligible Projects

The funds may be used to provide newly formed historic preservation commissions, or entrants into the CLG program, with professional services. The professional services will be provided over a 12 month period and will focus on enhancing communication with applicants and residents as well as provide planning reports/guidance on applications. Applicants may apply for more than one activity. The HPO reserves the right to fund in whole or part the activities identified in each application.

1. **CLG Model Community:** CLG Model Community funding may not exceed **\$3,000**. The HPO is seeking communities willing to sponsor a CLG consultation booth and exhibit at the Annual New Jersey League of Municipalities Conference held at the Atlantic City Convention Center in November of

each year. The HPO will participate with the Grantee in the planning and coordination of this activity. The Applicant must demonstrate in an exhibit how they have actively participated in the CLG program. Printed materials highlighting the local historic preservation program and its successes will be required. The HPO will work with the community to develop and print handouts. This is the perfect venue for your community to promote their historic preservation initiatives in a statewide forum. For further information, contact the HPO at (609) 984-0176.

2. Technical Assistance: The total cost for HPC Technical Assistance may not exceed **\$12,000**. The goal of this activity is to ensure efficient and effective administration of the municipal historic preservation ordinance. Grant funds will be used to retain on a part-time basis, a qualified preservation consultant who will provide technical and administrative assistance to the municipal historic preservation commission and to applicants to the commission. The preservation consultant will be available to give the public advice and instructions on preparing technically complete and accurate Certificate of Appropriateness applications, provide written recommendations on each application, advise the commission in evaluating the appropriate preservation treatment of designated properties, and assist the commission in processing and reviewing applications for new construction, rehabilitation, renovation or demolition of historic properties subject to the provisions of the local historic preservation ordinance. The HPO will fund this activity for up to the total of 24 months.

3. Training: CLG training may not exceed **\$6,000**. The Applicant will be required to incorporate one (1) of the following topics into their historic preservation training workshop:

- Municipal Land Use Law (MLUL);
- New Jersey Development and Redevelopment Plan;
- Public benefits of historic preservation;
- Links between historic preservation and other environmental protection activities;
- Relations between Historic Preservation Commissions and Planning and Zoning Boards;
- Inter-Municipal Historic Preservation protection/zoning;
- Economic benefits of historic preservation;
- The duties and responsibilities of the historic preservation commission;
- Secretary of the Interior's Standards for the Treatment of Historic Preservation.
- New Jersey and National Registers vs. local designation and/or;
- Design Guidelines and building maintenance.

The Applicant must propose a workshop that will benefit a majority of CLG Historic Preservation Commission members. Host community officials including the governing body, planning and zoning boards are strongly encouraged to attend and participate in this workshop.

In addition to the aforementioned activities funds may be used to assist in the identification, evaluation, registration, and protection of historic and prehistoric resources in New Jersey. Allowable activities, as outlined in The National Register Programs Guideline NPS-49, include:

- 4. Planning:** CLG historic preservation municipal master plan element. The project must at minimum comprise the following:
- preparation of a historic preservation plan element of the municipi-

pal Master Plan in accordance with the requirements of the New Jersey Municipal Land Use Law, the New Jersey State enabling legislation for local historic preservation ordinances. The Municipal Land Use Law [N. J. S. A. 40:55D-28b. (10)] requires that the historic preservation plan element of a Master Plan indicate the location and significance of historic sites and districts, identify the standards used to assess worthiness for historic site or district identification, and analyze the impact of each component and element of the Master Plan on the impact of preservation of historic sites and districts;

- analysis of the compatibility of existing and proposed municipal historic preservation overlay zoning with the goals and objectives of the New Jersey State Development and Redevelopment Plan (State Plan) and the accommodation of future development in identified or planned Centers within the municipality;
- identification of the civic and economic benefits of the local historic preservation program as well as the contribution of design review guidelines to the protection and preservation of historically and architecturally significant properties; and
- provide the public an opportunity to participate in the development and review of the historic preservation plan element.

5. Survey: In general, all CLG municipal surveys identify significant sites, buildings, structures and districts within a given geographic area. All historic resource data must be recorded on HPO database survey forms or approved alter-

native. The Applicant will be required to submit a paper copy and electronic copy to the HPO. The electronic copy must be submitted in accordance with the HPO Guidelines for Architectural Survey

All historic resource surveys include GIS data collection and must be prepared in accordance with the Historic Preservation Office, Guidelines for Architectural Survey. As part of the application, applicants must provide maps of the area to be surveyed and estimated resources to be surveyed.

The Applicant must articulate the goals and objectives that will be satisfied by funding a local survey. Identify the number of historic resources to be surveyed at the intensive level. Please clarify if the survey will be utilized for local regulation and/or designation. Provide an overview of the past efforts to survey historic resources in your community and describe the existing inventory of sites.

The HPO reserves the right to limit the number of survey grants based on our ability to commit staff to survey grant administration and product quality review.

Note: *CLG updates and/or new intensive level surveys are eligible projects as well as thematic surveys on the condition that the final products are compliant with the Guidelines for Architectural Survey.*

6. Historic preservation planning and education activities and publications:

This category includes the development of site specific, historic district or municipal preservation plans, design guidelines, public education programs (National Register Program related publications and videos) and sponsorship of local government preservation planning staff who undertake historic preservation planning activities consistent with HPO

standards and requirements. All planning activities must conform to the appropriate Secretary of the Interior's Standards and Guidelines (e. g. Planning, Identification, Evaluation, Registration, Historical Documentation). In addition, the Applicant is strongly encouraged to submit, as part of the application, drafts of all publications that will be printed with grant assistance. The HPO reserves the right to reject any application where publication form, format and content are not adequately described and professionally prepared.

- 7. Historic structure reports and preservation plans:** Site specific historic structure reports (HSR) or preservation plans for architectural and historic resources listed on the National Register of Historic Places. A HSR or preservation plan is the report required prior to the development of a historic resource when the rehabilitation and/or restoration work involves fabricating significant missing architectural or landscape features, recapturing the appearance of a property at one particular period of its history or removing non-contributing additions. All reports must be prepared in accordance with the applicable *Secretary of the Interior's Standards for the Treatment of Historic Properties and the HPO Historic Structure Report Guidelines*.

Note: *The HPO must be reasonably assured that the applicant will proceed with construction upon completion of the HSR of preservation plan.*

- 8. New Jersey/National Registers of Historic Places nominations:** This category includes development of nominations for historic resources in accordance with the National Register Bulletins 15 and 16. The Applicant will be required to submit a hard copy and electronic copy of each nomination to the HPO. The electronic copy must be in Microsoft Word.

Applicants must clearly articulate how the community will be involved in the nomination process, including but not limited to the following:

- scheduling of multiple public meetings at crucial points in the process;
- advertising/public notices;
- owner notification; and
- a plan to address owner concerns.

Note: *CLGs will be required to submit a letter from the local Governing Body and property owner consenting to the preparation of a nomination with the understanding that resources will be listed on the New Jersey & National Registers of Historic Places. Since the funds for CLG program are limited any application received without the required letter may not receive funding consideration.*

- 9. Archaeological resource protection, stabilization or preservation plans:** Site specific archaeological resource protection, stabilization or preservation plans. The plans include the research or investigation necessary to document proposed protection, stabilization or preservation of archaeological resources or the recovery of archaeological data. All plans must be prepared in accordance with the applicable *Secretary of the Interior's Standards for the Treatment of Historic Properties* and Archaeological Investigation.

C. Application Procedure

Six (6) signed and dated copies (one (1) with original signatures) of the Historic Preservation Fund CLG grant application must be received (stamped and dated) by the Historic Preservation Office on or before 12:00 PM on the day of the grant deadline:

**HISTORIC PRESERVATION OFFICE
4th FLOOR, ROOM 4E31
PO BOX 404,
501 EAST STATE STREET
TRENTON, NJ 08625-0404**

There will be no extensions of above deadline. HPO will acknowledge receipt of all applications upon request. The HPO reserves the right to return, without action, all applications that are incomplete or received after the grant deadline.

D. Eligible Applicants

Eligible applicants are all local governments certified by the HPO and National Park Service by the grant application deadline.

Eligible applicants must provide contract professional or salaried grant administration. When applicable, volunteer roles must be clearly identified and cannot impede grant administration or product development.

Eligible Applicants must be up to date in their reporting for the last calendar year in accordance with the CLG Program Guidelines. These requirements do not apply to communities that were recently certified and not required to submit annual reports.

All Applicants must demonstrate their ability to meet deadlines, monitor project work, and have a financial accounting system that meets the State and federal program requirements.

E. General Program Requirements

All Historic Preservation Fund grant recipients shall:

1. Be considered Grantees of the State, and therefore, adhere to all applicable federal, state and local laws, regulations and guidelines. The Grantee must also comply with the requirements of National Register Programs Guideline (NPS-49) and HPO, Administrative and Procedural Guidelines for Recipients of Historic Preservation Survey and Planning Grants, and Certified Local Government Grants, Appendix D.

2. Adhere to any requirements mandated by Congress pertaining to the use of Historic Preservation Funds.
3. Not apply monies from this grant to match any other federal grants.
4. Prior to the initiation of any work, enter into a formal Grant Agreement (DEP-069G) with the HPO which clearly identifies the responsibilities of each party.
5. Ensure that the Grantees Project Coordinator/Administrator will attend the mandatory HPO grant workshop prior to the start-up of the project.

Note: *Historic preservation fund grants are reimbursable grants. The grantee must be prepared to expend and document the total project cost before receiving reimbursement. Interim reimbursements may be incorporated into the grant agreement and must be tied to tangible grant products.*

F. Prohibition of Discrimination

These programs receive federal financial assistance for the identification and preservation of historic properties. The U. S. Department of the Interior prohibits discrimination based on age, race, color, creed, sex, national origin or handicap. If you believe you have been discriminated against in any program, activity or facility in this program, or if you desire information, please write to:

**Office of Equal Opportunity
National Park Service
1849 C. Street N.W. (NC 200)
Washington, DC 20240**

G.1 General Criteria for Evaluating Certified Local Government Program Grant Applications

1. The activity(s) will promote the preservation of historic resources as part of a Smart Growth Plan. The Smart Growth

Plan must be consistent with the following: 1) New Jersey State Development and Redevelopment Plan, 2) Highlands Master Plan, 3) Pineland Preservation Plan, or 4) New Jersey Partners for Preservation: A Blue Print for Building Historic Preservation into New Jersey's Future. **(up to 20 Points)**

2. The goals and objectives for the activity(s) are well defined and are consistent with State and national trends in historic preservation and represent best practices. Resources committed to each activity are appropriate to the scope of work. The activity(s) duration, and level of effort are described in detail. All products and deliverables are clearly defined. There are references, where applicable, to the number of forms, resources, parcels, photos, pages, reports, maps, layout, size, participants, audience and distribution for each item associated with an activity seeking grant funding. The Applicant has identified the professional level of skill necessary to complete each activity and has provided a rational, well reasoned, methodology complete with deadlines for completion of interim and final products or deliverables. **(up to 60 Points)**
3. The Activity will yield tangible, quantifiable results in fostering a greater appreciation for the preservation and protection of historic resources at the local, county, State or national level. Further, the Applicant has demonstrated that support exists for this activity at the local, county, State or national level. **(up to 20 Points)**

G. 2 Criteria for Evaluating Historic Preservation Fund Grant Administration

1. Applicant provides resume, job description and salary information for all grant administration personnel and demon-

strates that qualified paid or salaried personnel will be assigned to administer the project. Volunteer commission or board members may not administer the CLG grant activities. **(yes or no)**

Note: The failure on the part of the applicant to address G2 Item 1 may result in rejection of the application.

2. Applicant provides evidence that the project budget has been constructed based on clearly defined reasonable assumptions and market analysis. The budget is appropriate to the scope of the project. **(yes or no)**

Note: The applicant must address all of the G. 1 and G. 2 criteria listed below. Applicants are strongly advised to avoid simple restatement of the criteria as an acceptable means of response. The HPO expects all applicants to provide a detailed explanation of how each activity will meet each of the general criteria. Points will not be awarded to projects which simply restate the goals and objectives of the State Plan or New Jersey Historic Preservation Plan or any other source documents referenced in the HPF application.

H. HPO Funding Priorities

The following funding priorities have been established for the Certified Local Government (CLG) Program and will impact grant ranking:

- The Historic Preservation Office reserves the right to make funding recommendations based not only on individual point score but also on considerations 1) equal regional distribution, 2) new vs. continuing projects, 3) first time qualified applicants over those that have had multiple grants, 4) training priorities, and 5) past performance in grant administration, including adherence to deadlines and reporting.
- Priority shall be given to CLG communities that have newly established Historic Preservation Commissions and those that

must satisfy conditions outlined in their CLG Certification Agreements.

- Consideration will be given CLG communities that have not received similar assistance under prior year grant awards.

II. Grant Selection Process

1. All HPF grant applications received by the deadline shall be reviewed for completeness by the HPO. The HPO shall use the checklist provided in the application to document the technical completeness of each application. The completed checklist shall be maintained on file for audit and public inspection.
2. All HPF grant applications received by the HPO after the established deadline will be returned to the Applicant without further action. The HPO reserves the right to return all technically incomplete applications to the Applicant with a letter of explanation and without further consideration. Any application not containing a Clerk certified, signed, dated and raised seal (original or certified copy) Governing Body Resolution (Appendix E) may be determined incomplete.
3. All HPF grant applications determined to be complete will be reviewed by the Grant Application Review Committee comprised of five members: two (2) DEP staff members, and three (3) individuals experienced in historic preservation on the local, State or federal level.
4. The HPO shall prepare a ranking for each project. The summation and recommendations will be transmitted to the State Historic Preservation Officer or Deputy for review and final project selection.
5. After selection has been finalized, the HPO shall prepare award letters and notices of rejection.

6. After grant awards are issued and the selection process is completed, the HPO shall contact each Award Recipient by telephone and fax.

III. Instructions for Completing Grant Application

Item 1: CLG Applicant

Self-explanatory

Item 2: Certification

The signature must be that of the Mayor or official designated in the Governing Body Resolution. The Applicant must attach a Governing Body Resolution authorizing submission of the application. A sample Governing Body Resolution is attached as Appendix E. The resolution submitted by the Applicant must follow the format provided in Appendix E. Failure of the Applicant to include the Governing Body Resolution may result in immediate rejection of the application.

Item 3: Grant Title

It is important to use a grant title that is succinct and completely fits in the space provided.

Item 4: Grant Impact

Please indicate in the space provided, the anticipated impact of the activity(s). Applicants must support their claims in the Detailed Grant Activity section, Item 9.

Item 5: Grant Type

Please check the appropriate box or boxes provided, on the application. The Applicant must demonstrate how its project meets each category, in the Grant Activity Description section, Item 9.

ITEM 6: Itemized Grant Budget

The Applicant is advised to carefully read the Administrative and Procedural Guidelines for Recipients of Historic Preservation Survey and

Planning Grants and Certified Local Government Grants (Appendix D) before proceeding with budget preparation. If you have any questions after reading the Guidelines, contact the HPO.

The HPO will commit funds based on availability and timing of our federal grants. Failure by the Grantee to expend the funds in accordance with the budget and schedule will result in a reduction of the total grant award based on the NPS “use it or lose it” policy NPS-49.

Use the, “Total Project Budget” to indicate the total dollar amount requested for each item in the project budget.

Item 7: Budget Justification

Referring to the budget sheet, explain the need for each item appearing in the project budget. In addition, a justification must be provided for all contractual services that are part of the project budget. The following information is provided to aid the Applicant in the preparation of the budget justification:

Administrative Costs: The costs associated with the administration of these grants are not eligible for reimbursement. However, all Historic Preservation Fund grant projects require a Project Coordinator. The Coordinator (paid professional or salaried municipal employee) will be the single point liaison with HPO and with project professionals and will obtain, coordinate and submit reports, authorize signatures, and prepare financial documentation and other project information.

Expendable Office Supplies: Supplies are eligible as project costs if they meet the requirements and are documented in accordance with the Administrative and Procedural Guidelines. . . (Appendix D). These supplies shall not have a useful life beyond the active grant period. No equipment may be purchased for grant assisted projects. The exception to this rule is the procurement of computer software to meet HPO historic resource survey requirements. List only the major items or categories of office supplies, film, maps, etc., which will be required to complete the grant assisted project.

Lump Sum Consultant Contracts:

Preservation professionals must meet applicable federal qualification standards. For additional information on contracting, refer to the Administrative and Procedural Guidelines..., Section V, Fiscal (Appendix D). Professionals engaged to undertake the project may be hired as consultants.

Types of Contracts: The types of contracts which are allowable when federal funds are involved include cost reimbursement contracts, firm fixed-price contracts, fixed-price incentive contracts, or cost-plus-a-fixed-fee contracts. Other types of special contracts may be acceptable, depending upon the individual circumstances. Please note that cost-plus-a-percentage-of-cost, and percentage-of-construction-cost contracts cannot be used.

Selection Procedures: All procurement transactions, regardless of whether by sealed bids or by negotiation, and without regard to dollar value, shall be conducted in a manner that provides maximum open and free competition consistent with the Administrative and Procedural Guidelines for Recipients of Survey and Planning Grants and Certified Local Government Grants.

Note: *Project consultants and professionals must be selected in accordance with local, state and federal laws and regulations.*

Program Income: The Applicant must address the issue of program income, generated by the federally assisted project during the active grant period. The HPO will require the following information regarding program income: - Total dollars expected to be generated during the active grant period. - Source of funds (registration fee, publication sale, etc. - What does the Applicant propose to do with these funds to further project goals?

Item 8: Grant Selection Criteria

Provide a detailed written explanation of how the project will meet the G.1 Criteria for Evaluating Certified Local Government Program Grant Application, G.2 Criteria for Evaluating Historic Preservation Fund Grant Administration and the applicable HPO Funding Priorities. The Grant Application Review Committee will use the criteria in Section G.1 and the HPO Funding Priorities in Section H to evalu-

ate the grant applications. Generally, the greater the number of criteria and priorities met by the proposed project, the higher the grant application will rank.

THE APPLICANT MUST ADDRESS ALL OF THE G.1 AND G.2 CRITERIA. APPLICANTS ARE STRONGLY ADVISED TO AVOID SIMPLE RESTATEMENT OF THE CRITERIA. THE HPO EXPECTS ALL APPLICANTS TO PROVIDE A DETAILED EXPLANATION OR DEMONSTRATION OF HOW THE Activity WILL MEET EACH OF THE CRITERIA. POINTS WILL NOT BE AWARDED TO PROJECTS WHICH SIMPLY RESTATE THE GOALS AND OBJECTIVES OF THE STATE PLAN OR HISTORIC PRESERVATION OFFICE PLAN OR ANY OTHER SOURCE DOCUMENTS REFERENCED IN THE GRANT APPLICATION.

Item 9: Grant Activity Description

Provide a full written narrative of the specific goals and objectives for each grant activity. Include in the narrative an explanation of how each of the goals and objectives of each activity will be met. In addition, explain how each activity goal and objective relate to past and current preservation activity and priorities in the community.

In this portion of the application, the Applicant must provide a full narrative activity description. Define the personnel working on each phase, what they will be doing, and their relationship to specific project goals. Provide a detailed and product specific explanation of the methodology to be used in each phase. Clearly describe how the results of the project will be incorporated into the local planning process, and the extent to which the results will be made available to and used by the general public at the local, county or state level. Describe the relationship of the activity to other local planning and/or environmental protection activities. Applicants are encouraged to provide visual aids, photos and maps to supplement project descriptions.

Item 10: List and Description of Final Products or Deliverables

The Applicant will be required to provide a detailed description of each grant funded product. All products must be fully explained. Typically this section will estimate the number of reviews, number of reports, number of meetings, number of site inspections to be conducted. Applicants must provide the HPO with a breakdown for each product, indicating the quantity to be turned over to the HPO and quantity to be retained by the Applicant.

Item 11: Grant Schedule

For each activity provide a reasonable schedule for accomplishing project goals and objectives and completing interim and final products. The Applicant's schedule may not exceed 12 months beginning October 1st.

Item 12-15:

These sections should be signed and dated by the Mayor or official designated in the Governing Body Resolution (Appendix E) and Chief Financial Officer. If you have questions, please call HPO.

Item 16: Statement of Adequacy of Accounting System

This section must be completed, signed and dated by the Applicant's Chief Financial Officer.

Item 17: Required Governing Body Resolution

A Governing Body Resolution authorizing the filing of the application (and any resulting grant agreements), identifying the Mayor and/or Designee must be provided. The Attorney General and the Department of Environmental Protection require that all Governing Body Resolutions be presented in the format provided in Appendix E. The signatures of the Mayor and the Clerk, as well as the municipal raised seal and certification attesting to the authenticity of the resolution, must appear on the resolution. Failure to submit a resolution, as part of the application package, in the required format may result in immediate rejection of the application as incomplete.

Item 18: Checklist for a Complete Application

Self-explanatory. Each copy of the application must contain a copy of the completed checklist.

Appendix A

NOT WITHSTANDING ANYTHING TO THE CONTRARY, THE FOLLOWING SCHEDULE WILL BE IN EFFECT FOR ALL HISTORIC PRESERVATION FUND CLG GRANTS. THIS SCHEDULE IS PROVIDED AS A GUIDE TO THE APPLICANT AND THE TARGET COMPLETION DATES ARE SUBJECT TO CHANGE.

- | | | |
|-----------|----------------|--|
| A. | 1/15/06 | Grant applications available. |
| B. | OPEN | HPO will schedule grant application workshops at the request of applicants to deal with project specific issues. |
| C. | 3/31/06 | Deadlines for submission (12:00 P.M.) of all CLG grant applications to the HPO, 5 Station Plaza, 4th floor, 501 East State Street, Trenton, 08625. |
| D. | June | Grant award letters are mailed. |
| E. | 9/30/06 | DEP-069G Grant Agreements are executed and one (1) copy is returned to the Grantee. |
| F. | 10/1/06 | Project start date for all grant is contingent upon the federal funding cycle. Grants may start after the date indicated based on timing of the federal appropriation. |

Appendix B

Professional Qualifications Standards

The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation registration, and treatment activities. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

1. **History.** The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following:
 - a. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historical organization or agency, museum, or other professional institution; or
 - b. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.
2. **Archeology.** The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:
 - a. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration, or management;
 - b. At least four months of supervised field and analytic experience in general North-American archeology, and
 - c. Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

3. **Architectural History.** The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history; or a bachelor's degree in architectural history, art history, historic preservation, or closely related field plus one of the following:
 - a. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
 - b. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.
4. **Architecture.** The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time professional experience in architecture; or a State license to practice architecture.
5. **Historic Architecture.** The minimum professional qualifications in historic architecture are a professional degree in architecture or State license to practice architecture, plus one of the following:
 - a. At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or
 - b. At least one year of full-time professional experience on historic preservation projects. Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

Note: The Historic Preservation Office of New Jersey maintains a list of consultants who may meet the federal qualifications standards. Many of these consultants have worked on projects involving this office, and all have work samples on file at the Historic Preservation Office. If a Subgrantee requests assistance, the Historic Preservation Office will review the professional's qualifications against the federal standards.

Appendix C

Note: The following goals and actions are excerpts from *New Jersey Partners for Preservation: A Blueprint for Building Historic Preservation into New Jersey's Future*. This document is also referred to as the **New Jersey Historic Preservation Plan** and the goals cited will be in affect from 2002 to 2007.

Introduction

The vision we have set for historic preservation is a bold one. It calls for historic preservation to play a major role in physical design, economic health, and quality of life in New Jersey communities for generations to come. While New Jersey has many preservation successes to be proud of, much work remains to be done to realize our vision. The following set of goals and actions are designed to build on our successes and carry preservation planning, activities and funding in New Jersey to a new level. These goals and actions were developed with the help of all of the individuals and organizations that participated in the planning process. They are meant as a starting point for historic preservation activity and can serve as a stimulus for other creative initiatives that may emerge to advance the vision and goals contained in this plan.

New Jersey's historic houses, main streets, and neighborhoods are what give our state and its communities their special character. While we are coming to recognize the value of mixed use, pedestrian friendly environments when we design new communities, we often lose sight of the fact that these qualities have characterized our historic cities and towns for generations. The New Jersey State Development and Redevelopment Plan, approved in March, 2001, lays the groundwork for the state and its municipalities to work together to build preservation values into the growth and development of New Jersey's communities. The State Plan calls for the identification, protection, and enhancement of historic, cultural, and scenic resources in existing cities and towns and encourages new town centers that emulate the most attractive features of traditional New Jersey towns. Citizens told us New Jersey should make integrating preservation into local and regional planning and decision-making one of our highest priorities.

Goal #1:

Make historic preservation an integral part of local and regional planning and decision-making to enhance the attractiveness and quality of life in New Jersey communities

Actions:

1. Increase the number of municipal governments that have historic preservation elements in their master plans and preservation ordinances to implement those plans.
2. Continue to develop and update municipal and county historic resource surveys, giving priority to areas under major threat and where local governments have a strong partnership interest.
3. Increase the number of localities that participate in the Certified Local Government Program and continue to strengthen the effectiveness of that program.
4. Promote regional planning activities that incorporate historic preservation into broad regional planning goals.
5. Develop changes in the Municipal Land Use Law to ensure that municipalities have the tools necessary to preserve historic resources as part of the overall planning and development process.

Goal #2:

Use historic preservation as a catalyst to strengthen New Jersey's state and local economies

Actions:

1. Increase the number of communities participating in Main Street New Jersey to revitalize downtowns and urban neighborhood commercial areas.
2. Build on the state's wealth of heritage

tourism opportunities, working with a wide range of partners at the local, state, and national levels.

3. Promote urban redevelopment approaches that respect and build on the historic character of existing buildings, neighborhoods, and commercial centers.
4. Increase awareness and use of the State's award-winning Rehabilitation Sub-code.
5. Sustain efforts to make historic preservation regulatory review processes as efficient as possible at the local and State levels to allow projects to move forward in a timely manner without sacrificing the integrity of preservation review processes.

Goal #3:

Expand understanding and appreciation of history and historic preservation among New Jersey citizens, elected officials, students, and organizations across the state

Actions:

1. Increase the visibility of historic preservation by highlighting success stories, attracting media attention to preservation issues, and increasing involvement in preservation related activities.
2. Promote expansion of interpretive activities at publicly and privately operated historic sites to tell a fuller story of New Jersey's rich and complex history.
3. Continue to build a statewide preservation non-profit network to strengthen advocacy and outreach across the state.
4. Provide conferences, workshops and training materials to help municipal officials, non-profits and local citizens carry out local preservation responsibilities.
5. Seek to have an historic preservation component included in the core curriculum standards and assessments mandated by the New Jersey Department of Education, and provide historic preservation curriculum materials for use by teachers and students.

6. Nurture the development of future preservation professionals.
7. Strengthen communication and cooperation among state-level history and preservation agencies and organizations to maximize effectiveness.

Goal #4:

Become a national leader in stewardship of publicly owned historic and cultural resources.

Actions:

1. Develop an inventory of all state owned historic properties and strategies for the preservation and productive use of these properties.
2. Identify and protect publicly owned historic properties at the local level to keep them in productive use.
3. Stabilize and restore buildings on the New Jersey side of Ellis Island to complete the preservation and use of one of our nation's most important historic sites.
4. Develop public-private partnership models to show how historic properties acquired through the State's open space acquisition programs can be preserved, used or sold with permanent protections in place.

Goal #5:

Provide the financial resources and incentives necessary to advance historic preservation in New Jersey.

Actions:

1. Expand all funding and use of economic incentives available in New Jersey to support historic preservation.
2. Develop state-level financial incentives to promote the rehabilitation of privately owned commercial and residential historic properties.
3. Encourage more local governments to adopt financial incentives to encourage preservation and rehabilitation of historic properties.

4. Allocate additional resources to develop a statewide inventory of historic resources that is integrated into the larger state Geographic Information System.
5. Expand support for preservation planning and technical assistance services at the local level.
6. Identify dedicated sources of revenue to support the stabilization, restoration, interpretation and re-use of state owned historic properties.
7. Identify a stable source of funding to support enhanced interpretation at privately owned historic sites.
8. Develop a legislative agenda on a biennial basis to advance the resource development and other portions of this plan that require legislative action.

Appendix D

Administrative and Procedural Guidelines for Recipients of Historic Preservation Survey and Planning Grants and Certified Local Government Grants

These Guidelines have been prepared to assist Recipients, hereafter referred to as the Grantee, of the Department of the Interior, National Park Service (NPS) Historic Preservation Fund Grants-in-Aid for survey, planning and historic preservation education projects to successfully complete their contractual obligations with the State of New Jersey, Department of Environmental Protection, Historic Preservation Office (HPO). This document is a compilation of requirements established by the HPO and a condensation of relevant information from the NPS, National Register Programs Guideline (NPS-49), and the applicable federal and State laws and regulations.

These Guidelines may be amended at any time to accommodate new regulations and reinterpretations of existing regulations made by the NPS and the HPO. The HPO will notify, all Grantees of any changes to these Guidelines.

I. Staff Requirements

There are three areas of special concern regarding staffing, they are: 1) Project Administration; 2) Project Professional Staff or Consultant Services; 3) Non-professional staff.

1) Project Administration

All Grantees must be prepared to provide reasonable assurance that an adequately trained and competent project coordinator and chief financial officer will be available during the active period of the grant. The project coordinator shall mean the *paid professional or salaried* employee who is the point of contact for the grant and who will administer, supervise and coordinate the grant project. The chief financial officer shall mean the individual or employee designated to control and coordinate fiscal administration of the grant. Whether full or part-time this individual must have adequate training

and authority to insure that the grant can be carried out with a minimum of difficulties and that funds are properly documented and disbursed in accordance with Federal and State guidelines. This individual must coordinate all grant fiscal activities and be identified, by name, in the Statement Of Adequacy of Accounting System (filed with the grant application) and the DEP-069G, Grant Agreement. Grantees may not delegate grant administration to volunteers, or historic preservation commission members.

2) Project Professional Staff or Consultant Services

The services of staff members or consultants working on Historic Preservation Fund (HPF) grant products must meet the minimum Standards established by 36 CFR Part 61. The HPO must approve in writing all Grantee staff and/or consultants working on HPF grant assisted products prior to the expenditure of any project funds. If during the course of the active grant, the Grantee finds it necessary to change and/or commit additional staff to the project product, prior written notification must be received by the HPO.

3) Non-Professional Staff

All persons working on grant assisted activities or products who do not meet the minimum standards established by the National Park Service, must work directly under the supervision of someone meeting the professional requirements. The Grantee will be required to provide a list of the names of all non-professional staff or employees and the name of their direct supervisor as well as a description of their individual work assignments.

II. Information Required for Project Initiation

The following information and approvals must be on file with the HPO before written authorization to proceed with work on the grant assisted activity can be issued.

- Complete, signed and dated Grant Application.

- Department of Environmental Protection grant award letter signed by the State Historic Preservation Officer (SHPO) or Deputy SHPO.
- Fully executed Grant Agreement (DEP-069G) or DEP-076 Amendment between the DEP and the Grantee.
- Project Coordinator's/CFO's attendance at the mandatory HPO grant workshop.

III. Scope of Work:

The Grantee must refer to the DEP-069G, Grant Agreement, Attachments B-1, C, D and D-1 for all information regarding the Budget, Reporting, Purpose, Product, Schedule and General Conditions.

IV. REPORTING REQUIREMENTS:

A. Interim Expenditure Reports

The Grantee (professional and/or administrative personnel) shall be available for meetings or field inspections with HPO staff. The Grantee shall submit a minimum of one (1) Interim Report to the HPO on the date specified in the DEP-069G, Grant Agreement, Attachment D, Schedule. This report must be submitted utilizing the HPO approved format provided in the DEP-069G, Grant Agreement, Attachment C. The Grantee will be provided with samples and instruction in report preparation at the HPO grant workshop. This workshop will be scheduled prior to the start of the project.

Note: *The HPO has specific procedures for amendments to proposed work and/or budget, and these procedures are provided in the DEP-069G, Grant Agreement, General Terms and Conditions, Section XVI, Agreement Amendment and Attachment A, Section XII, Modification, Item F. If, during the course of your project, it becomes apparent the proposed scope of work and/or cost of the project need to be revised, please contact the HPO immediately. Grantees are encouraged to contact the HPO whenever any delays or problems develop which affect the project close-out in accordance with the Grant Agreement schedule.*

Time is of the essence with respect to all deadlines established in the Grant Agreement.

B. Final Expenditure Reports

Final Expenditure Reports must be submitted to the HPO by the deadline established in the DEP-069G, Grant Agreement, Attachment D, Schedule. These reports must be submitted in the format provided in the Grant Agreement, Attachment C. The reports must provide a brief description of all grant products and a final budget reconciliation. The Grantee will be given samples and instruction on the preparation of the Final Expenditure Report at the HPO grant workshop.

C. Final Product Requirements

Final products must be submitted to the HPO in accordance with the DEP-069G, Grant Agreement, Attachment D, Schedule. In addition, the product(s) must meet all the requirements and standards set forth in the DEP-069G, Grant Agreement, Attachment(s) D and D-1.

V FISCAL ADMINISTRATION:

All Grantees must assure the HPO that financial management personnel are adequately trained and competent to administer the grant. All fiscal personnel are encouraged to attend the HPO grant workshop.

A. Financial Management System

All Grantees must maintain a financial management system that meets the criteria set forth in the Statement of Adequacy of Accounting System and provides for:

- 1) Accurate, current, and complete disclosure of the financial results of each project grant.
- 2) Records which identify adequately the source and intended use of funds for grant-supported activities. These records shall contain the grant award letters and project notifications, authorizations, account obligations, unobligated account balances, financial and tangible assets, liabilities, outlays, and project income.

- 3) Effective control and accountability for all funds, property, and other assets. Grantees shall adequately safeguard all such assets and shall ensure that they are used solely for authorized purposes.
- 4) Comparison of actual outlays with budgeted amounts for each grant and any other agreements specifically related to the project. Financial information should be related to performance cost principles, regulations, and terms of the grant agreement.
- 5) Accounting records which are supported by source documentation. Separate project records shall be established for each grant. Audits may be required by the HPO. Such audits shall be made by qualified individuals who are sufficiently independent of the grantee organization to produce unbiased conclusions. Audits are considered an allowable project cost as long as they conform to NPS audit standards.
- 6) When possible, the Grantee should plan to establish a special checking account for the project so that an exact itemization of project expenditures can be submitted by check number along with copies of cancelled checks and itemized invoices.
- 7) The Grantee must provide the HPO with all the information outlined in the DEP-069G, Grant Agreement, Attachment D-1, Procurement Checklist.

B. Procurement Procedures

The Grantee must comply with the federal procurement guidelines for goods and services as set forth in 43 CFR 12, OMB Circular A-102, Attachment 0, National Register Programs Guideline (NPS-49) and with all applicable State and local laws and regulations.

Note: *Failure to comply with the following procurement regulations shall be cause for suspension or termination of the grant in accordance with the DEP-069G*

C. General Guidelines

Debarment and Suspension

The Grantee shall comply with Executive Order

12549 as implemented in the United States Department of the Interior regulation, 43 CFR 12.100 through 12.510, Subpart-D-Government-wide Debarment and Suspension (Nonprocurement). Organizations and individuals suspended or barred from doing business are listed in Lists of Parties Excluded from Federal Procurement or nonprocurement Programs. A telephone inquiry answering service is available in the General Service Administration's Office of Acquisition Policy for general questions about entries in the Lists of Parties. The number to call either during or after normal business hours is (202) 786-0688.

Types of Contracts

Although cost reimbursement contracts, fixed-price incentive contracts, and cost-plus-a-fixed-fee contracts are allowable when Federal funds are involved, the HPO prefers the use of the firm fixed price contracts for all grant related procurements. Other types of special contracts may be acceptable, depending upon the individual circumstances. However, cost-plus-a-percentage-of-cost and percentage-of-construction-cost contracts may not be used under any circumstances, and costs incurred under these types of contracts will not be eligible for reimbursement.

Required Documentation

As part of the procurement process Grantees will be required to retain the following documentation outlined in the Grant Agreement, Attachment D-1.

- Copies of all rejection letters
- Resolution of Acceptance
- Brief statement justifying the selection made
- Copy of executed contract awarded

Contract Approval

The HPO must receive a Subcontractors Certification, Attachment F in the DEP-069G, Grant Agreement prior to their final execution of any professional services contract or agreement.

Optional Documentation

Grantees should also maintain any other documentation which might be useful to an auditor in verifying the propriety of procedures used and compliance with Federal and State regulations.

D. Selection Procedures

All procurement transactions, regardless of whether by telephone quotation, sealed bids, formal advertising or by negotiation, and without regard to dollar value, shall be conducted in a manner that provides maximum open and free competition consistent with this section. Procurement procedures shall not restrict or eliminate competition and should provide for participation in the process by minority Business Enterprises and Women Business Enterprises. Examples of what are considered to be restrictive of competition include, but are not limited to: (1) placing unreasonable requirements on firms in order for them to qualify to do business, (2) noncompetitive practices between firms, (3) organizational conflicts of interest, and (4) unnecessary experience and bonding requirements.

The Grantee shall have written selection procedures which include, at a minimum, the following selection requirements:

A. Solicitations of offers, whether by competitive sealed bids or competitive negotiation, shall:

- 1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured, and when necessary, shall set forth those minimum essential characteristics and standards to which they must conform if they are to satisfy their intended use. Detailed product specifications should avoid the use of specific brand names. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a

“brand name or equal” description may be used as a means to define the performance or other salient requirements of a procurement. The specific features of the named brand which must be met by offerors shall be clearly stated.

- 2) Clearly set forth all requirements which offerors must fulfill and all other factors to be used in evaluating bids or proposals, such as a deadline for completion of project work.

B. Contract awards shall be made only to responsible contractors who possess the potential ability to perform successfully under the terms and conditions of proposed procurement. Consideration shall be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. (Note: evidence of default, adverse record of past performance, or related factors are necessary to demonstrate lack of responsibility).

C. Contract awards shall not normally be made to a contractor or professional who has developed or has drafted bid specifications, requirements, a statement of work, an invitation for bids, and/or a request for proposals for a particular procurement. Only when the formal advertising does not result in any acceptable bids may the Grantee negotiate with any available contractor, including the contractor who produced the bid requirements.

E. Methods of Procurement

Procurement under Historic Preservation Fund (HPF) grants shall be made by one of the following methods: 1) small purchase procedures; 2) competitive sealed bids (formal advertising) 3) competitive negotiation; 4) noncompetitive negotiation.

Small Purchase Procedures

Small purchase procedures are simple, methods used for a procurement of services or supplies costing in the aggregate not more than \$500. Grantees shall comply with Federal, State and local small purchase dollar limits. If small purchase procedures are used for a procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources to assure competition.

Competitive Sealed Bids

In competitive sealed bids (formal advertising), sealed bids are publicly solicited, and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the product specifications, terms and conditions of the invitation for bids, is lowest in price and is most advantageous to the grantee, considering price, discounts, transportation costs, taxes, and the contractor's ability to fulfill the contract.

- a. In order for formal advertising to be successful, appropriate conditions must be met, including, at a minimum, the following:
 - A complete, adequate and realistic specification or purchase description is available, which avoids unnecessarily restrictive specifications or requirements which might unduly limit the number of bidders.
 - Three (3) or more responsible suppliers are willing and able to compete effectively for the Grantee's business.
 - The procurement lends itself to a firm fixed-price contract, and selection of the successful bidder can appropriately be made principally on the basis of price.
- b. If formal advertising is used for a procurement under a grant, the following requirements shall apply:
 - A sufficient time prior to the date set for opening of bids, bids shall be solicited from an adequate number (three (3) or more) of known suppliers. The Grantee shall allow thirty (30) calendar days for bids to be submitted by offerors. In addition, the

invitation must be publicly advertised.

- The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation.
- All bids shall be opened publicly at the time and place stated in the invitation for bids.
- A firm-fixed-price contract award shall be made by written notice to the responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of the Grantee indicates that such discounts are generally taken.
- Any or all bids may be rejected when there are sound documented business reasons in the best interest of the program. If all bids are rejected as too costly, and the scope of work needs to be substantially altered, HPO written approval will be required, and the work must be re-advertised.

Guide to Formal Advertising

Formal advertising, with adequate purchase descriptions, sealed bids, and public openings will be the required method of procurement unless negotiation is necessary to accomplish sound procurement. However, procurements of \$500 or less need not be formally advertised unless otherwise required by the HPO.

Formal advertising includes placing the "Invitation to Bid" in a major newspaper that covers the area affected by the project. Notices must be published at least three (3) times. The legal notices may be published in three (3) successive issues of one (1) newspaper or one (1) time in three (3) dif-

ferent newspapers. Use of pre-selected bid lists, posting in public places, and publication in trade journals and magazines are legitimate steps to ensure free and open competition and reflect prudent administration of Federal funds if used in conjunction with newspaper and other mass media announcements. Minimum documentation of formal advertising for audit purposes consists of a copy of the actual advertisement(s) run in appropriate newspaper(s) with an Affidavit of Publication (proof of publication) certifying the date(s) of publication.

The formal advertisement must state that Federal funds are involved and that compliance with all applicable Federal, State, and local laws, rules and regulations is required. After all bids are received, they should be tabulated and summarized in a manner that will facilitate comparison of the relative advantages and disadvantages of each bid. In awarding contracts which include additive and deductive bid items, the award procedures should include a disclosure of the selection priority for these items. This tabulation and/or summary should be signed and dated to provide documentation as to the basis for awarding the bid. It is not always necessary to award the contract to the lowest bidder simply because it is the lowest. There may be important considerations that obviate such action, such as State or local laws and regulations which make provisions for implementation of socio-economic programs giving priority to the handicapped, small business, or minority-owned contractors. However, the justification for doing so must be adequately documented in writing. If unusual circumstances should arise surrounding the awarding of contracts, HPO should be consulted. Grantees must define the unusual circumstances using the following criteria:

- Basis for contract selection;
- Justification for lack of competition when competitive bids or offers are not obtained; and
- Basis for award cost or price.

The method of procurement chosen by a non-profit Grantee must be appropriate for the particular procurement involved and for promoting the best interest of the HPF grant program. The "cost plus-a-percentage-of-costs" incurred under such a contract shall not be eligible costs. Procurements by non-profit Grantee's shall be subject to audit verification.

Competitive Negotiation

In competitive negotiation, proposals are requested from a number of sources and the Request for Proposal is publicized (distributed to several prospective bidders), negotiations are normally conducted with more than one of the sources submitting offers, and either a fixed price or cost-reimbursable type contract is awarded, as appropriate. Competitive negotiation may only be used if conditions are not appropriate for the use of formal advertising. If competitive negotiation is used for a procurement under a grant, the following requirements shall apply:

- Proposals shall be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the procurement. The Request for Proposals shall be publicized (distributed to several prospective bidders; it does not require publication) and reasonable requests by other sources to compete shall be honored to the maximum extent practicable.
- The Request for Proposals shall identify all significant evaluation factors, including price or cost where required and their relative importance.
- The Grantee shall provide mechanisms for the technical evaluation of the proposals received, determination of responsible offerors for the purpose of written or oral discussions, and selection for contract awards.
- Award may be made to the responsible offeror whose proposal will be most advantageous to the procuring party, price and other factors considered. Unsuccessful offerors must be promptly notified, in writing, of their rejection.
- Grantees must utilize competitive negotiation procedures (or small purchase procedures for under \$500) for procurement of architectural/engineering professional services, whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. (Resumes, references, and past work experience may be evaluated to assess professional qualifications).

Non-competitive Negotiation

Non-competitive negotiation is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Non-competitive negotiation may only be used when the award of a contract is infeasible under small purchase, competitive bidding (formal advertising) or competitive negotiation procedures. Circumstances under which a contract may be awarded by non-competitive negotiation are strictly limited to the following:

- The item is available only from a single source (which is often best documented after no responses are received from a preliminary formal advertising);
- Public exigency or emergency when the urgency for the requirement will not permit a delay incident to competitive solicitation;
- NPS authorizes in writing noncompetitive negotiation because of compelling special circumstances; or
- After solicitation of a number of sources, competition is determined inadequate.

Award must be made to the responsible offeror (one who can provide the necessary capabilities, skill, and technical knowledge) whose proposal is most advantageous to the Grantee, considering price and other factors. All contractors must be approved by the HPO and must meet 36 CFR 61 Minimum Professional Qualifications Standards, if applicable.

E. Cost Eligibility

The total project cost is the sum of the allowable costs, up to the grant award, incurred by the Grantee and the values of cash or allowable in-kind contributions made by the Grantee in accomplishing the objectives of the Grant Agreement during the project period. All project costs must be necessary and reasonable and in accordance with FMC A-87, 43 CFR 12, OMB A-102, and NPS, National Register Programs Guideline (NPS-49) to be allowable costs. Total project cost must be used for cash disbursements for professional services, expendable materials and supplies. Other standard expenses include honoraria, photography, travel and graphic reproduction. An itemized cost breakdown must be submitted to and approved by the HPO as part of the

annual grant application and selection process. Any budget item variations in excess of ten percent (10%) from the approved DEP-069G, Grant Agreement, will require the HPO's written authorization. If there are items for which an accurate estimate cannot be made at the outset of the project, those items should be listed and estimates sent to the HPO for approval before expenditure.

All publication and video costs require prior written approval from the HPO/NPS in order to be allowable costs. Publication costs not clearly identified in the DEP-069G, Grant Agreement, Attachments B-1, D, and D-1 are not eligible. In addition, any publication or video which does not contain the required NPS funding acknowledgments and HPO logo in accordance with the DEP-069G, Grant Agreement, Attachment D-1, will not be eligible for reimbursement.

F. Matching Share

CLG Grantees will not be required to provide matching share unless otherwise specified in the grant application.

G. Materials and Supplies

Purchases made specifically for the grant project must be made in accordance with NPS-49 and applicable State and local guidelines. The aforementioned procurement procedures must be applied to all grant related purchases of materials and supplies. Grantees must be prepared to demonstrate and document that competitive pricing has been sought for all purchases regardless of the dollar amount.

H. Project Income

Project income (or "grant related income") means gross income earned by the Grantee generated by charges which are directly related to a principal project objective. Project income includes, but will not be limited to, income from services, fees, usage or rental fees, and royalties on patents and copyrights. The Grantee must notify HPO if the grant assisted project will result in the Grantee realizing income. The HPO will provide the Grantee further information for proper disposition of any income in accordance with the guidelines in OMB Circular A-102 and NPS-49. All project income must be disposed of in accordance with the aforementioned Guidelines and the DEP-069G, Grant Agreement.

I. Required Documentation for Reimbursement

Upon final execution of the DEP-069G, Grant Agreement by the Department of Environmental Protection, the Grantee shall receive a copy of the Agreement from the HPO. At the mandatory grant workshop(s), the HPO will provide the Grantee with sufficient forms, samples and instructions necessary for processing all project reimbursement requests.

Fiscal documentation is required for 100% of the eligible costs set forth in the DEP-069G, Grant Agreement, Attachment B-1, Budget. The HPO will reimburse the Grantee for all those costs documented in accordance with these guidelines up to the approved grant award. The number of times the Grantee is required to request reimbursement is specified in the DEP-069G, Grant Agreement, Attachment D, Schedule. The estimated time frame for reimbursement is 4-6 weeks from the date the HPO issues written acceptance of the reimbursement package and the Grantee returns the certified and signed State Procurement Voucher/ Invoice. Any requests which are found to be incomplete will be returned to the Grantee without action. A letter outlining the documentation necessary to make the request acceptable will accompany all reimbursement requests determined to be incomplete. The Grantees must submit their reimbursement requests to the HPO with costs documented in conformance with the approved budget.

Completed HPO "Request for Survey Reimbursement" form (Attachment 2 must reflect only the approved budget categories) summarizing expenditures for contracts and materials shall accompany each reimbursement request. These forms must be signed by an authorized agent of the Grantee. Final reimbursement will be made to the Grantee only after all terms and conditions set forth in the DEP-069G, Grant Agreement have been met and approved (in writing) by the HPO.

Consultant Services

- Complete, signed and dated Request for Survey Reimbursement Contracts/Materials form.
- Evidence of compliance with State and local public bidding laws and regulations and the Federal Procurement Standards.

- A copy of the fully executed contract between the Grantee and any qualified professional consultants.
- A copy of the consultant's invoice(s) and the Grantees authorized payment voucher(s).
- A check number for each payment corresponding to the invoice(s) and voucher(s) above.

Materials

- Complete, signed and dated Request for Survey Reimbursement Contracts/Materials form.
- Copies of completed, signed and dated vendor invoices/receipts and Grantee vouchers.
- A check number for each payment corresponding to the invoice(s) and voucher(s) above.
- All cash purchases must be documented by a receipt clearly marked paid in full.
- Documentation to demonstrate compliance with State and local public bidding laws and regulations and the Federal Procurement Standards must be maintained on file for audit in accordance with the DEP-069G Grant Agreement.

J. Project Records

All required supporting documentation including books, records and papers must be maintained by the Grantee for a period of three (3) years or until an acceptable audit has been performed and all claims and audit findings involving the records have been resolved. The three (3) year retention period starts from the date of the final reimbursement. This documentation must be made available for inspection and audit by the HPO, its agents, and/or the Comptroller General and its agents within that three (3) year period. If any litigation, claim or audit is started before the expiration of the three (3) year period, the records must be retained until all litigation, claims or audit findings involving the records have been resolved. In addition, these records must be maintained in accordance with the DEP-069G, Grant Agreement, General Terms and Conditions, Section XX, Record Retention.

Appendix E

Resolution # _____

The governing body of _____
(*print Grantee's name*)

desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$ _____ to fund the following project: _____

Therefore, the governing body resolves that _____
(*print name*)

or the successor to the title of _____ is authorized (a) to make application for
(*print title of authorized official*)

such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$ _____ and not more than \$ _____ and (c) to execute [X] any amendments thereto [X] any amendments thereto which do not increase the Grantee's obligations.

The _____
(*print name of Grantee's governing body, e.g., board of chosen freeholders*)

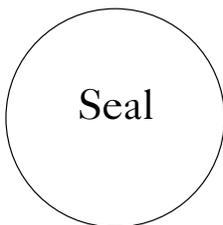
further acknowledges that there is no grant match required for this CLG agreement grant. The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced and passed _____, _____.

Ayes: _____

Noes: _____

Absent: _____



Appendix F

NATIONAL REGISTER PROGRAMS GUIDELINE (NPS-49) CHAPTER 3

C. Conflict of Interest

1. Policy.

No person (see definition in subsection 2.a., below) shall participate in the select award, or administration of any HPF assisted program activity, subgrant, contract, or subcontract if a conflict of interest, real or apparent, exists. Nor shall any person participate through approval, disapproval, recommendation, or other decision concerning any Federal Preservation Tax Incentive Certification, National Register Nomination, or Review and Compliance case if such a conflict, real or apparent, exists.

No person shall engage in outside employment or have any direct or indirect financial interest that conflicts or would appear to conflict with the fair, impartial, and objective performance of officially assigned duties and responsibilities for administration of the HPF program. Employees or agents (i.e., persons authorized to represent the SHPO organization, or to perform any official capacity for it) shall neither solicit nor accept gratuities, favors, nor anything of monetary value from contractors, potential contractors, or parties to potential or actual HPF grant awards.

2. Definitions.

a. "Person" means:

- 1) The State Historic Preservation Officer,
- 2) State Historic Preservation Office staff,

3) President of the National Trust for Historic Preservation,

4) Staff of the National Trust for Historic Preservation,

5) Trustees and Advisory Board Members of the National Trust for Historic Preservation,

6) Subgrantees or contractors paid in whole or part, by HPF funds or whose time or salaries are used as allowable matching share,

7) Members of a State Review Board(s) and/or separate Commission(s) which share 36 CFR 61 or HPF grant oversight responsibilities,

8) CLG commission members, agents, or staff, and

9) Employees, agents, partners, associates, or family members of those cited in this definition.

b. A "conflict of interest" exists when a person may benefit (either through financial or personal gain) from the position he/she holds with respect to the HPF assisted program or may be unable to make impartial decisions or render impartial advice due to outside relationships or other activities with other persons as defined above. This applies to those persons who participate in or influence the grant award decision-making process, gain information not available to the general public, or provide oversight or administration of any aspect of the HPF grant program.

C. An "apparent conflict of interest" exists whenever circumstances are such that a person may appear to be in a position to benefit (either through financial or personal gain) from the position he/she holds with respect to the HPF-assisted program or may be unable to make impartial decisions or render impartial advice due to outside relationships or other activities with other persons as defined above. This applies to those persons who participate in or influence the grant award decision-making process, gain information not available to the general public, or provide oversight or administration of any aspect of the HPF grant program whether or not such a conflict actually exists. An apparent conflict of interest also exists when a person may appear to have an unfair competitive advantage because of his/her relationship with the SHPO organization. Accordingly, Review Board members should not be included on any lists of qualified consultants distributed to the public by the SHPO.

3. Declaring and Resolving Conflict of Interest.

a. Nonvoting. When any person, as defined in subsection 2.A., above, is involved in nonvoting situations such as Tax Act Certification or Review and Compliance decisions, and a real or apparent conflict of interest situation exists, the person involved must disclose the possible conflict and physically absent and recuse himself/herself from the decision-making process. The conflict shall be declared and documented in writing (by providing the name, date, and nature of the conflict) as soon as the situation becomes apparent but, at a minimum, before the issue or action for which the conflict exists is acted upon or brought to resolution. Those in a position to make a decision must be fully informed as to the

possible interest of the persons involved.

b. Voting (Review Board/Commission Meetings). When a real or apparent conflict of interest situation arises in the context of a voting situation, the person must disclose the possible conflict and physically absent and recuse himself/herself from the decision-making process (including presentations and discussion) and neither vote directly, in absentia, nor by proxy in that matter. The recusal and the reasons therefore must be recorded in the meeting minutes. Those in a position to make a decision must be fully informed as to the possible interest of the person abstaining and recusing himself/herself.

4. Written Procedures (Code of Conduct).

Each SHPO organization and the National Trust must maintain a written code with standards of conduct governing the performance of their employees engaged in the award and administration of contracts. This code must, at a minimum, comply with the requirements of this section, and is binding on all persons listed in subsection 2.A., above.

The grantee may adopt more stringent requirements than those specified by NPS. The standards established in this section shall be considered the minimum. In those situations where existing State procedures are more stringent, those shall apply. However, in situations where State-wide conflict of interest requirements are less stringent (e.g., may not apply to the Review Board or a separate Commission), the standards in this section shall apply for administration of the HPF program in its entirety.

5. Procurement

Contract awards shall not be made to any person or firm who has developed or has drafted bid specifications, requirements, a statement of work, an invitation for bids, and/or a request for proposals for a particular grant-related procurement.

6. Nepotism

State grantees will follow State laws and administering regulations governing nepotism in relation to employment, contracting, and the award of HPF grant assistance.

7. Officials Not to Benefit

No member of or delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of a grant, or to any financial benefit that may arise therefrom; but this provision shall not be construed to extend to a grant if made with a corporation for its general benefit.

8. Corrupt Practices

The award and administration of NPS grants and of sub-agreements awarded by State grantees under those grants must be accomplished free from bribery, graft, kick-backs, and other corrupt practices. The grantee bears the primary responsibility for the prevention, detection, and cooperation in prosecution of any such conduct. Federal administrative or other legally available remedies will be pursued to the extent appropriate.

No person, agency, or other organization may be employed or retained to solicit or secure a grant or contract upon agreement or understanding for commission, percentage, brokerage, or contingent fee. For breach or violation of this prohibition the Federal Government shall have the right to annul the grant without liability or, at its discretion, to deduct from the grant or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee, or to seek such other remedies as may be legally available.

9. Enforcement

The grantee organization must enforce and document that it enforces its conflict of interest procedures or code of conduct whenever applicable. At a minimum, there must be written records of abstentions from the decision-making process in conflict of interest situations. The records of abstentions and recusals shall, at a minimum, doc-

ument who was absent from the decision and for what reason.

Individuals who have a pattern of conflicts of interest and consequent abstentions, ought to be removed from the Board, commission, etc., or assigned other responsibilities because their function of offering advice cannot be fulfilled. In addition, the grantee organization must ensure that those on whom these procedures are binding (subsection 2.a., above) are fully knowledgeable of these conflict of interest requirements and agree to abide by them in the execution of their HPF program responsibilities. Documentation of these requirements is fulfilled by a signed and dated statement from each person attesting to that fact.

State Ethics officers are authorized to determine the applicability of these requirements to individual situations in regard to State employees and to resolve employee conflict of interest situations.

10. Conflict of Interest Involving Current or Former Federal Employees

The grantee will not use any Federal funds or funds from other sources applied as matching share to pay a fee to, or travel expense of, current employees of the Federal Government for consultant services, lectures, attending program functions, including HABS/HAER participation, or any other activities in connection with the grant or any subagreement awarded under this grant. Grantees are to consult with NPS when the appearance of such conflicts of interest arise. This prohibition is in accordance with 18 U.S.C. 209 which stipulates that Federal employees whose employment has not terminated shall not receive supplemental compensation for their services in their capacity as Federal Government employees.

It is NPS policy that personal or organizational conflict of interest, or the appearance of conflict of interest, be prevented in the award and implementation of grants, including subgrants and subcontracts or

other subagreements which involve former and current Federal employees in the award and implementation of grants. A conflict of interest will appear to exist when grant assistance is awarded to or by a grantee and a current or former NPS employee participated in the pre-award and award process and benefits financially from the grant. Specific details are contained in 43 CFR 20.

11. Violations

When there is a suspected violation of the conflict of interest policy or requirements, the SHPO organization must advise NPS of the matter, pursue available State or local legal and administrative remedies, take appropriate remedial action with respect to any allegations or evidence coming to its attention, and advise NPS of the ultimate disposition of any matter. Such violations may result in cost disallowances or other sanctions.